

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

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U.S. DIST. COURT  
SOUTHERN DIST. OHIO  
WESTERN DIV. DAYTON

<b>UNITED STATES OF AMERICA,</b>	:	No.
	:	<b>3 : 08 cr - 175</b>
<b>Plaintiff,</b>	:	<b>INDICTMENT</b>
	:	<b>THOMAS M. ROSE</b>
<b>vs.</b>	:	18 U.S.C. §§ 2113(a), (d) and (e)
	:	18 U.S.C. § 924(c)(1)(A)(iii)
<b>JEREMY E. LEWIS</b> (Counts 1-5);	:	18 U.S.C. §§ 922(g)(1) and 924(a)(2)
<b>JOHNNY B. WILKERSON, aka "Johnny</b>	:	18 U.S.C. § 371
<b>Wilkenson"</b> (Counts 1-4, 6);	:	Forfeiture
<b>TREY M. GETER</b> (Counts 1-4),	:	
	:	
<b>Defendants.</b>	:	

The Grand Jury charges:

COUNT ONE

[18 U.S.C. §§ 2113(a), (d) and (e)]

On or about December 4, 2008, in the Southern District of Ohio, the defendants, **JEREMY E. LEWIS, JOHNNY B. WILKERSON, aka "Johnny Wilkenson", and TREY M. GETER**, by force and violence and by intimidation, did take and attempt to take from the person and presence of another, money belonging to and in the care, custody, control, management, and possession of the Key Bank, located at 4000 Linden Avenue, in Dayton, Ohio, a bank whose deposits were then insured by the Federal Deposit Insurance Corporation, and in committing and in attempting to commit such offense, the defendants did assault and put in jeopardy the life of any person by the use of a dangerous weapon, namely, a firearm; and further, in committing such offense, the defendants did force any person to accompany a defendant

without the consent of such person.

In violation of Title 18, United States Code, §§ 2113 (a), (d) and (e).

COUNT TWO

[18 U.S.C. § 924(c)(1)(A)(iii)]

On or about December 4, 2008, in the Southern District of Ohio, the defendants, **JEREMY E. LEWIS, JOHNNY B. WILKERSON, aka "Johnny Wilkenson", and TREY M. GETER**, knowingly used, carried, and discharged a firearm by discharging a handgun adjacent to the cash vault of the Key Bank, located at 4000 Linden Avenue, in Dayton, Ohio, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, Bank Robbery, in violation of Title 18, United States Code, § 2113(a).

All in violation of Title 18, United States Code, § 924(c)(1)(A)(iii).

COUNT THREE

[18 U.S.C. § 371]

Between an exact beginning date unknown, but at least by on or about December 3, 2008, and December 4, 2008, in the Southern District of Ohio, the defendants, **JEREMY E. LEWIS, JOHNNY B. WILKERSON, aka "Johnny Wilkenson", and TREY M. GETER**, conspired and agreed together and with each other and with other persons both known and unknown to the grand jury, to commit any offense against the United States, namely, Bank Robbery, in violation of Title 18, United States Code, § 2113 (a), and one or more of the defendants did any act to effect the object of the conspiracy, including but not limited to: on or about December 4, 2008, the defendants, **JEREMY E. LEWIS, JOHNNY B. WILKERSON, aka "Johnny Wilkenson", and TREY M. GETER**, entered the Key Bank, located at 4000 Linden Avenue,

and thereafter robbed the bank of money.

All in violation of Title 18, United States Code, § 371.

COUNT FOUR

[18 U.S.C. § 924(c)(1)(A)(iii)]

On or about December 4, 2008, in the Southern District of Ohio, the defendants, **JEREMY E. LEWIS, JOHNNY B. WILKERSON, aka “Johnny Wilkenson”, and TREY M. GETER**, knowingly used, carried, and discharged a firearm by discharging a handgun upon entry to and in the main customer area of the Key Bank, located at 4000 Linden Avenue, in Dayton, Ohio, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, (i) Conspiracy to Commit Bank Robbery, in violation of Title 18, United States Code, § 371, and (ii) Bank Robbery, in violation of Title 18, United States Code, § 2113(a).

All in violation of Title 18, United States Code, § 924(c)(1)(A)(iii).

COUNT FIVE

[18 U.S.C. §§ 922(g)(1) and 924(a)(2)]

On or about December 4, 2008, in the Southern District of Ohio, the defendant, **JEREMY E. LEWIS**, who had been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, namely:

- (a) Aggravated Robbery (Deadly Weapon), on or about March 18, 2004, in the Court of Common Pleas, Montgomery County, Ohio, Case Number 2003CR4593;
- (b) Tampering with Evidence, on or about November 7, 2008, in the Court of Common Pleas, Montgomery County, Ohio, Case Number 2008CR3015,

knowingly possessed a firearm, namely, a handgun, in commerce and affecting commerce.

In violation of Title 18, United States Code, §§ 922(g)(1) and 924(a)(2).

COUNT SIX

[18 U.S.C. §§ 922(g)(1) and 924(a)(2)]

On or about December 4, 2008, in the Southern District of Ohio, the defendant,

**JOHNNY B. WILKERSON, aka “Johnny Wilkenson”**, who had been convicted in any court of a crime punishable by imprisonment for a term exceeding one year, namely:

- (a) Possession of Crack Cocaine, on or about September 17, 2004, in the Court of Common Pleas, Montgomery County, Ohio, Case Number 2004CR1735;
- (b) Aggravated Possession of Drugs, on or about March 26, 2008, in the Court of Common Pleas, Montgomery County, Ohio, Case Number 2006CR4837;
- (c) Possession of Crack Cocaine, on or about March 26, 2008, in the Court of Common Pleas, Montgomery County, Ohio, Case Number 2007CR1714;

knowingly possessed a firearm, namely, a handgun, in commerce and affecting commerce.

In violation of Title 18, United States Code, §§ 922(g)(1) and 924(a)(2).

FORFEITURE

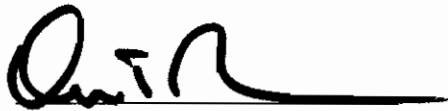
Upon conviction of Counts 1, 2, 3, 4, 5, and/or 6 of this Indictment, the defendants, respectively, shall pursuant to 18 U.S.C. § 924(d) forfeit to the United States any and all firearms and ammunition involved in the violation(s), including, but not limited to, the following:

1. Taurus, Model PT-145, Serial Number NYF93527, .45 caliber handgun;
2. Ammunition.

A TRUE BILL

15/  
FOREPERSON

GREGORY G. LOCKHART  
United States Attorney



VIPAL J. PATEL  
Deputy Criminal Chief